

# ELLIS:LAWHORNE

Carol Roof  
Direct dial: 803/779-0066  
[croof@ellislawhorne.com](mailto:croof@ellislawhorne.com)

October 14, 2008

**FILED ELECTRONICALLY**

The Honorable Charles L.A. Terreni  
Chief Clerk  
**SC Public Service Commission**  
P.O. Drawer 11649  
Columbia, SC 29211

RE: Petition for approval to transfer of all of Progress Telecom, LLC's South Carolina operations, including Progress Telecom's assets and customers in South Carolina, to Level Three Communications, LLC and to Cancel Progress Telecom's Certificate of Public Convenience and Necessity  
**Docket No. 2008-372-C, Our ELS No. 1272-11617**

Dear Mr. Terreni:

Enclosed for filing are copies of the Affidavits of Publication received from The State-Record Co, Inc. and The Greenville News in the above-referenced docket.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

**ELLIS, LAWHORNE & SIMS, P.A.**



Carol Roof  
Paralegal

cc: Greg Diamond, Esquire (via electronic mail service)  
Enclosures

PUBLIC SERVICE  
COMMISSION OF  
SOUTH CAROLINA  
DOCKETING  
DEPARTMENT

**NOTICE OF  
FILING**  
DOCKET NO.  
2008-372-C

Progress Telecom, LLC ("Progress Telecom" or "Applicant") has filed an Application with the Public Service Commission of South Carolina ("Commission"), pursuant to S.C. Code Ann. §58-9-310, requesting the transfer of all of Progress Telecom's South Carolina operations, including Progress Telecom's assets and customers in South Carolina to Level 3 Communications, LLC ("Level 3"), and cancel Progress Telecom's Certificate of Public Convenience and Necessity. According to the Application, Progress Telecom's customers will continue to receive their existing services over the same facilities and at the same rates, terms and conditions that they have prior to the transfer. Further, the Application states that the same rates, terms and conditions that Progress has prior to the

transfer, and any future changes in the rates, terms and conditions of service will be made consistent with Commission requirements. Additionally, following the transfer, existing customers will continue to receive service under the same billing system, and there will not be any interruption or discontinuation of service or customer terminations. A copy of the Application on file in the offices of the Commission, 101 Executive Center Drive, Columbia, South Carolina 29210, the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov), and is available from John J. Pringle, Jr., Esquire, is, Lawhorne & Sims, A., Post Office Box 85, Columbia, South Carolina 29202.

A public hearing, if scheduled, will be held in Columbia, South Carolina in the offices of the Commission at the above address for the purpose of receiving testimony and other evidence from interested parties regarding this Application. The time and date of this hearing will be furnished to all interested parties at a later date.

Any person who wishes to participate in this matter as a party of record or the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before November 3, 2008, and indicate the amount of time required for his presentation. Please include an email address for receipt of the Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2008-372-C.

THE STATE-RECORD CO., INC.  
Columbia, South Carolina  
publisher of

**The State**

**RECEIVED**

OCT 18 2008

Ellis, Lawhorne  
& Sims, PA

**STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND**

Personally appeared before me, Peggy Lawrence, Advertising Sales Support Manager of THE STATE, and makes oath that the advertisement,

Notice of Filing – Docket 2008-372-C Progress Telecom LLC

was inserted in THE STATE, a daily newspaper of general circulation for the State of South Carolina published in the City of Columbia, State and County aforesaid in the issues of

October 4, 2008

*Peggy Lawrence*

Subscribed and sworn to before me

on this day October 7, 2008

*Evelyn F. Haynes*

Notary Public

My commission expires  
March 10, 2013

*"Errors- the liability of the publisher on account of errors in or omissions from any advertisement will in no way exceed the amount of the charge for the space occupied by the item in error, and then only for the first incorrect insertion."*

Any person who wishes to testify and present evidence at the hearing should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff at 1401 Main Street, Suite 900, Columbia, South Carolina 29201, and John J. Pringle, Jr., Esquire, at the above address, on or before November 3, 2008, and indicate the amount of time required for his presentation. Please refer to Docket No. 2008-372-C.

Any person who wishes to be notified of any change in the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department, in writing, at the address below on or before November 3, 2008. Please refer to Docket No. 2008-372-C. PLEASE TAKE NOTICE:

Any person who wishes to have his or her comments considered as part of the official record of this proceeding MUST present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100.

Public Service Commission of South Carolina  
Attn: Docketing Department

Post Office Drawer  
11649  
Columbia,  
South Carolina 29211  
OCT-2-08

6544

# The Greenville News

RECEIVED

greenvilleonline.com

OCT 14 2008

Ellis, Lawhorne  
& Sims, PA

## Classified Advertising

Date: 10/6/2008

Name: / ELLIS LAWHORNE & SIMS PA  
PO BOX 2285 COLUMBIA SC 29202

Ad No: 4377144 Class: 0008 Legal Notices (News) Rate: Legal Rates

Runs:

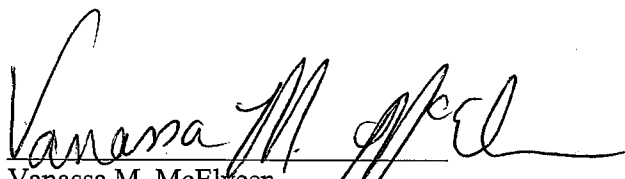
Saturday, October 4, 2008

Lines: 147

## AFFIDAVIT

I, Susan F. Mullinax, being the Legal Advertising Agent for *The Greenville News*, do hereby testify that the attached legal ad was published on 147 lines as set forth above, in The Greenville News beginning on 10/4/2008 and ending on 10/4/2008

  
Susan F. Mullinax  
Legal Advertising Agent

  
Vanassa M. McElveen  
Notary Public for the State of South Carolina  
My Commission Expires December 1, 2008

Post Office Box 1688 \* Greenville, SC 29602  
Phone: 864.298.4100



305 South Main Street \* Greenville, SC 29601  
Toll Free: 1.800.800.5116

</684>PUBLIC SERVICE  
COMMISSION  
OF  
SOUTH CAROLINA  
DOCKETING  
DEPARTMENT  
DOCKET NO. 2008-372-C  
Progress Telecom, LLC  
(<cm DEQ>Progress Telecom<cm DEQ> or  
<cm DEQ>Applicant<cm DEQ> has filed an  
Application with the Public  
Service Commission of  
South Carolina (<cm DEQ>Commis'  
sion<cm DEQ>), pursuant to S.C.  
Code Ann. <cm ClSmBox>58-9-310, re'  
questing the transfer of all  
of Progress Telecom's  
South Carolina operations,  
including Progress Tele'  
com's assets and customers  
in South Carolina to Level 3  
Communications, LLC  
(<cm DEQ>Level 3<cm DEQ>), and cancel  
Progress Telecom's Certifi'  
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and Necessity. According  
to the Application, Pro'  
gress Telecom's customers  
will continue to receive  
their existing services over  
the same facilities and at  
the same rates, terms and  
conditions that they have  
prior to the transfer. Fur'  
ther, the Application states  
that the same rates, terms  
and conditions that Pro'  
gress has prior to the  
transfer, and any future  
changes in the rates, terms  
and conditions of service  
will be made consistent  
with Commission require'  
ments. Additionally, fol'  
lowing the transfer,  
existing customers will  
continue to receive service  
under the same billing sys'  
tem, and there will not be  
any interruption or discon'  
tinuation of service or cus'  
tomer terminations.<ql>  
A copy of the Application is  
on file in the offices of the  
Commission, 101 Executive  
Center Drive, Columbia,  
South Carolina 29210, the  
Commission's website at  
www.psc.sc.gov, and is av'  
ailable from John J. Pring'

le, Jr., Esquire, Ellis,  
Lawhorne & Sims, P.A.,  
Post Office Box 2285, Co'  
lumbia, South Carolina  
29202.<ql>

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uled, will be held in Colum'  
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offices of the Commission  
at the above address, for  
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testimony and other evi'  
dence from all interested  
parties regarding this Ap'  
plication. The time and  
date of this hearing will be  
furnished to all interested  
parties at a later date.<ql>

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participate in this matter,  
as a party of record with  
the right of cross-examina'  
tion, should file a Petition  
to Intervene in accordance  
with the Commission's  
Rules of Practice and Pro'  
cedure on or before No'  
vember 3, 2008, and  
indicate the amount of time  
required for his presenta'  
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email address for receipt of  
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testify and present evi'  
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partment, in writing, at the  
address below, the Office of  
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Main Street, Suite 900, Co'  
lumbia, South Carolina  
29201, and John J. Pringle,  
Jr., Esquire, at the above  
address, on or before No'  
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(803) 896-5100.<ql>  
Public Service Commission<qc>  
of South Carolina<qc>  
Attn: Docketing Depart-  
ment<qc>  
Post Office Drawer 11649<qc>  
Columbia, South Carolina  
29211<qc>

**THANK YOU FOR YOUR ADVERTISEMENT!**

If I can be of further assistance, please call : Frank  
4370